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MARIN COUNTY/Police abuse alleged by blacks/Some minorities believe authorities target them unfairly Jason B. Johnson, Chronicle Staff Writer

Marin County elected officials and concerned residents are considering the formation of a citizen review board to examine complaints of police abuse of minorities in Marin City and other parts of the county.

A dozen people, many of them African American, complained before a hearing of the county Human Rights Commission last month of being harassed and/or arrested by authorities in some parts of the county. Many believe officers stop, handcuff and manhandle blacks as a way of training young officers.

And in a series of Chronicle interviews with 30 randomly selected African American residents in Marin City, 10 said they'd been stopped and harassed by law enforcement officers in the past year.

"It (a review board) is something I think would be worthwhile," said county Supervisor Charles McGlashan. "It is something the (human rights) commission itself might be suited to do with a subcommittee. I think that kind of oversight would be welcome."

McGlashan said a review board could cover the entire county.

Derrick Morgan, a member of the Marin City Community Service District board who is in charge of safety issues, said there is a need for some sort of process to investigate complaints from the public.

"Marin City's a training ground" for the Marin County Sheriff's Department, said Morgan. "They are training a lot of the (deputies) on the people that live in the community. The question is how much longer will this go on?"

Most complaints aired last month before the Human Rights Commission came from Marin City, an unincorporated community between Mill Valley and Sausalito. It is home to many of the county's African American residents, who live in a collection of apartment complexes, public housing units and private homes.

A spokesman for the Sheriff's Department, which has law enforcement jurisdiction in Marin City, rejected claims that deputies target minorities.

"That's not true at all," sheriff's Sgt. Mike Crane said.

The Human Rights Commission hearing was held at the urging of a recently formed 12-member group called the Marin Empowerment Council, which is urging greater civilian oversight of police.

The council was formed last spring by local residents and community groups angry over the arrest of a Marin City woman named Karrissa Russell.

Russell, 43, and her son, Robert, 20, said they've had multiple encounters with sheriff's deputies where they were verbally and physically abused. Russell said last March she was punched by an officer without provocation. Her son said he was pulled over in January for a supposedly defective taillight and an officer pointed a shotgun at his head.

"They could either calm things down or escalate them," said Robert Russell. "They choose to escalate it."

The version of events described by Russell and her son were later called "false" by Crane. He said Russell's run in with deputies happened after she began shouting at a clerk in a government office and someone called authorities. Russell was arrested on suspicion of

interfering with a government employee and obstructing/resisting a public officer, Crane said.

Crane also disputed her son's claim that a shotgun was pointed at his head during a January vehicle stop.

"The firearm was a less lethal shotgun, it wasn't a duty rifle or firearm," Crane said. "It doesn't shoot a projectile like a bullet, it shoots an object like a beanbag. It wasn't a lethal weapon being pointed."

Marin County, with one of the state's highest median household incomes at \$71,300 in 2000, has a population of 250,000 -- predominantly white. It is made up of 11 incorporated cities with their own police departments. The county's sprawling, mostly rural, unincorporated area -- with pocket residential communities such as Marin City, Santa Venetia and Marinwood, fall under the protection of the Sheriff's Department.

According to the U.S. Census Bureau, African Americans as a percentage of the county population fell from 3.5 percent to 2.9 percent from 1990 to 2000.

"You can almost be guaranteed if you're a person of color in Mill Valley that you'll be stopped at one time or another," said Raphael Durr, chair of the Human Rights Commission's law enforcement committee.

"I've heard that from a number of people," said Michael Harris of the Lawyers Committee for Human Rights, which has been conducting an investigation into the abuse claims. "I know that it's a strong feeling among (minority) residents."

Kerry Pierson, a 20-year resident of Mill Valley and a member of that city's Parks and Recreation Commission as well as the county Human Rights Commission, says he was stopped in November while walking home, questioned and thrown in jail.

Pierson said he was arrested for public intoxication but never actually charged, and said it is part of a pattern he has experienced over the years. He told his colleagues on the Human Rights Commission it is because he is black.

Pierson said the officer didn't use any racial slurs during their encounter. The vast majority of stops have been in Mill Valley. He's also been stopped twice by Twin Cities and once by Tiburon police.

When he was stopped, Pierson said, he'd had only a couple of drinks and was walking home about 10 p.m. He is angry that he wasn't given the opportunity to take a breathalyzer test or go before a judge to refute the allegation.

Pierson acknowledged that he had a drunken-driving arrest in Mill Valley in 1989, and was convicted of the charge.

Mill Valley police Capt. Angel Bernal denied Pierson's specific complaint and the broader charges raised in the hearing.

Bernal said Pierson was detained for public intoxication, and as is common practice, was held for four hours and then released.

"Most often in public intoxication cases, people are allowed to be taken for detention only," Bernal said.

"A thorough investigation was conducted, in fact I was involved in the investigation," Bernal said. "(Pierson's) complaint was taken seriously. The officers were cleared of any wrongdoing."

Bernal said the department gets only a handful of complaints each year, and denied any pattern of abuse or targeting of minority residents.

Mill Valley's police department has 22 sworn officers -- four are Latino, one is Japanese, three are female, the remaining are white

males. Last year, there were fewer than five formal complaints brought against individual officers, Bernal said.

"We look into all of the complaints thoroughly," Bernal said. "I'm Hispanic myself, and I would not condone any type of bias based on someone's race or ethnicity or sex."

Human Rights Commission Chair Marna Cohen said 13 individual complaints were made at last month's hearing and most concerned the Sheriff's Department. That shows a need for increased dialogue, she said, adding the local ACLU has complaints dating back several years.

"The complaints come from all over the county, but the majority of the complaints come from Marin City, where there is a Sheriff's Department substation," Cohen said.

Several Marin City residents believe the Sheriff's Department trains its young officers by having them stop and arrest African Americans, often for minor and even nonexistent offenses.

Among the complaints shared by residents interviewed by The Chronicle was one from Reggie Berkeley, 48. He said last summer he was stopped while driving his red Grand Cherokee and ordered to exit the vehicle by a young female officer.

"The other police officer with her said she was in training, and I said, 'That doesn't matter, I shouldn't be treated that way,' " Berkeley said.

The senior officer apologized for the incident, Berkeley said.

"Especially if you have a nice car, they will pull you over," said Berkeley, who claims his son has also been stopped and harassed.

Charmaine Baker, 34, who grew up in Marin City, said officers often stop African Americans they don't recognize as residents.

Baker said her fiance, who is from New Orleans, was questioned by police when he was out cleaning their car. She said police were looking for a rape suspect when they questioned him.

"In some ways, I don't fault the police for doing their jobs," said Baker. "They're supposed to do their jobs."

Baker and other residents said there's been a problem with crime over the past three years, particularly drug-dealing, in certain neighborhoods where groups of young men congregate on the streets to drink and play music. It's called the 200 lot. The housing development there is called Golden Gate Village. Trespassing warning signs are posted on nearby telephone poles and in parking lots.

Crane, the department spokesman, said claims that the department singles out particular groups for extra enforcement are not true.

"I know we wouldn't take part in that," Crane said.

The department does use Marin City as a training area for new deputies assigned to the patrol division because it's the most active part of the county, Crane said.

It does not keep track of the racial or gender makeup of its deputies, he said, and a count of the number of complaints filed last year was not immediately available.

"Marin City has the most activity and calls for service," Crane said. "We are not harassing people, we're responding to calls for service."

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